32692 Customer Number

Patent Case No.: 48317US028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:

JAPUNTICH, DANIEL A.

Application No.:

09/680465

Group Art Unit: 3743

Filed:

October 6, 2000

Examiner:

Aaron J. Lewis

Title:

FIBROUS FILTRATION FACE MASK HAVING A NEW

UNIDIRECTIONAL FLUID VALVE

INFORMATION DISCLOSURE STATEMENT

Mail Stop: RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

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transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

Signed by: Susan M. Dacko

Dear Sir:

Pursuant to 37 CFR §§ 1.56, 1.97, and 1.98, enclosed is a completed Form PTO-1449. citing references submitted for consideration by the Examiner. It is respectfully requested that the Examiner initial and return the enclosed Form PTO-1449 to indicate that each reference has been considered.

Copies of any cited foreign patents, foreign publications, non-patent literature documents, and any pending U.S. applications filed before June 30, 2003, are enclosed. Copies of any pending U.S. applications filed after June 30, 2003 that can be accessed on the USPTO's IFW system are not enclosed as per USPTO Waiver dated September 21, 2004. Copies of any U.S. patents and published U.S. patent applications are not enclosed.

Please be informed that applicants have brought suit against Moldex Metric Inc. and the Louis M. Gerson Company for patent infringement of U.S. Patent 6,843,248 B2 to Japuntich et al. This patent is in the same family as the present application since it too claims priority to the same parent applications. The respiratory mask that is sold by Moldex and that is the subject of the lawsuit includes the valve that is published in U.S. Patent 6,047,698 to Magidson et al. The Gerson Company sells filtering face masks that use a LPD valve that can be viewed on the Gerson website

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at www.gersonco.com. The lawsuits against both Moldex and Gerson are pending in the United States District Court for the District of Minnesota under court docket numbers 03-5292 MJD/JGL and 05-CV-26 (MJD/JGL), respectively. Please let applicant's attorney know if additional information is need with respect to these lawsuits.

A Request for Continued Examination under 37 CFR § 1.114 is being filed concurrently, thus it is believed that no fee is due for this Information Disclosure Statement.

Respectfully submitted,

February 2 5, 2005

Date

Karl G. Hanson, Reg. N

Telephone No.: (651) 736-7776

Office of Intellectual Property Counsel 3M Innovative Properties Company

Facsimile No.: 651-736-3833

Substitute for form 1449A/PTO (modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Application Number	09/680465
Filing Date	October 6, 2000
First Named Inventor	Japuntich, Daniel A.
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Examiner Name	Aaron J. Lewis
Attorney Case Number	48317US028

U.S. Patent Documents						
Exam. Init.*	Cite	Document Number	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, When Relevant Passages or Relevan Figures Appear	
	No.	Doc. Number-(Kind Code if Known)				
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' Foreign Patent Documents							
Exam. Init.*	Cite No.	Foreign Patent Document		Publication Date	Name of Patentee or	Pages, Columns, Lines,	Translation
		Ctry. Code	Number-KindCode (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	(Check If yes)
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	B2	JP	58-168314				
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OTHER DOCUMENTS				
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	C1	Abstracts for JP 58-168314 and JP 55-168359		
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Date Considered: